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PATENT APPLICATION  
10/606,856



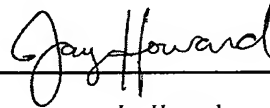
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jerry M. Roane  
Serial No.: 10/606,856  
Date Filed: June 26, 2003  
Group Art Unit: 3617  
Examiner: Le, Mark T.  
Title: **TRITRACK SYSTEM OF MASS TRANSIT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail No. EV352387209US addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2004.

  
Jay Howard

Dear Sir:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

This paper is filed in response to the election/restriction requirement dated January 15, 2004. The Examiner is requiring an election of one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-9, drawn to a dual use vehicle, classified in class 105, subclass 72.2;
- II. Claims 10-15, drawn to a rail system, classified in class 104, subclass 243;
- III. Claims 16-17, drawn to a transportation system, classified in class 104, subclass 287; or

IV Claims 18-21, drawn to a track forming vehicle, classified in class 164, subclass 159.

Applicant hereby elects with traverse to prosecute Group II, Claims 10-15. Applicant reserves the right to file a divisional application for the cancelled claims (Claims 1-9 and 16-21) at a later date.

**CONCLUSION**

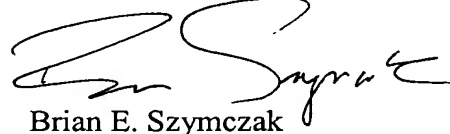
Applicant has now made an earnest effort to place this case in condition for examination and allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

Applicant believes no fee is due, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-2148 of Baker Botts L.L.P. in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2548.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorney for Applicant



Brian E. Szymczak  
Reg. No. 47,120

**SEND CORRESPONDENCE TO:**

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Date: 2/10/04